

**CITY OF MANISTEE  
PLANNING COMMISSION**

Thursday, February 14, 2019  
7:00 p.m.  
Council Chambers, City Hall, 70 Maple Street,  
Manistee, Michigan

**AGENDA**

**I. Call to Order**

1. Pledge of Allegiance

**II. Roll Call**

**III. Approval of Agenda**

At this time the Planning Commission may approve the February 14, 2019 Agenda.

**IV. Approval of Minutes**

At this time Planning Commission may approve the January 3, 2019 meeting Minutes.

**V. Public Hearing**

There is no public hearing today.

**VI. Public Comment on Agenda Related items**

All comments and handouts from the speaker at the podium will go through the Chair, also there will not be any interaction between the podium and audience. If these rules cannot be followed, the Chair can terminate the meeting.

**VII. Special Presentation(s)**

1. Lynda Beaton: Real Estate in Manistee

**VIII. New Business**

1. Election of Officers: Vice-Chair
2. By Law Review
3. Annual Sub-Committee Appointments
  - Executive Committee
  - Site Plan Review/Subdivision Committee

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**AGENDA**

- Zoning Board of Appeals
4. Commissioner Contact Information Update

**IX. Old Business**

There is no Old Business today.

**X. Public Comments and Communications**

All comments and handouts from the speaker at the podium will go through the Chair, also there will not be any interaction between the podium and audience. If these rules cannot be followed, the Chair can terminate the meeting.

At this time the Chair may ask if there are any public comments.

**XI. Correspondence**

At this time the Chair may ask if any correspondence has been received to be read into the record.

**XII. Staff Reports**

At this time the Chair may ask Staff for their report.

1. Joe Hollander Housing Project: Anticipated PUD Request
2. Tabernacle Church: Anticipated Request to Change their Approved Special Land Use Permit
3. Olga Street Vacation: Update

**XIII. Members Discussion**

At this time the Chair may ask members of the Planning Commission if they have any items they want to discuss.

**XIV. Adjournment**

**CITY OF MANISTEE PLANNING COMMISSION**

70 Maple Street  
Manistee, MI 49660

**MEETING MINUTES**

January 3, 2019

A meeting of the Manistee City Planning Commission was held on Thursday, January 3, 2018 at 7 pm in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

Meeting was called to order at 7:00 pm by Chair Wittlieff followed by the Pledge of Allegiance.

**ROLL CALL**

Members Present: Marlene McBride, Bob Slawinski, Michael Szymanski, Maureen Barry, Rochelle Thomas and Mark Wittlieff

Members Absent: Roger Yoder

Others: Tamara Buswinka, (City Zoning Administrator), Robert Carson (County Planning Director), Nancy Baker (Recording Secretary)

**APPROVAL OF AGENDA**

Motion by Michael Szymanski, seconded by Bob Slawinski that the agenda be approved as prepared.

With a Roll Call vote this motion passed 6 to 0.

Yes: Szymanski, Slawinski, Berry, McBride, Thomas and Wittlieff

No: None

**APPROVAL OF MINUTES**

Motion by Maureen Barry, seconded by Rochelle Thomas, that the minutes for the December 6, 2018 Planning Commission Meeting be approved as prepared.

With a Roll Call vote this motion passed 6 to 0.

Yes: Szymanski, Slawinski, Berry, McBride, Thomas and Wittlieff

No: None

**PUBLIC COMMENT ON AGENDA RELATED ITEMS**

Chair Wittlieff asked if anyone in attendance had any Public Comments on Agenda Related Items.

**Donald Pachesny, Homeowner of 305 Ninth Street.** Mr. Pachesny is not in total agreement of the survey division as he feels due to the constraints of topography he will not have access to the rear of his lot and the newly acquired land- in essence he feels that the rear of his lot will be "land locked". Mr. Pachesny stated that he uses Olga Street to enter into the rear of his lot.

**Gary Niesen, Homeowner of 296 9<sup>th</sup> Street.** Mr. Niesen inquired of which portion of Olga Street would he be entitled to?

**PUBLIC HEARING**

Chair Wittlieff asked if anyone in attendance had any comments relating to the Public Hearing.

**Lisette Reyes, Rising Tide Fellow.** Ms. Reyes introduced herself and stated that she will work on identifying the priority issues for the City of Manistee and asked for insight to assist in helping the community. She said the priorities that have been identified to date include economic development, housing, board development.

**Bob Brook, 352 Lakeshore Drive.** Mr. Brook is supportive of marijuana facilities but pointed out the concern that the plants dispense of an odor and therefore the City should consider provisions to require facilities have a well filtered air system in place to control the odor.

## **NEW BUSINESS**

### **Olga Street Vacating Request**

**Tamara Buswinka, City Zoning Administrator,** stated that there are three petitioners seeking the vacation of Olga Street: Little River Band of Ottawa Indians, Donald Pachesny, and Gary Niesen. As a result of the Public Hearing the Zoning office and Planning Commission have been informed that the three petitioners for the street vacation have now decided that they are not in full agreement with the petition as presented in the Street Vacation Application. The change in agreement changes the way the Planning Commission deliberates on this petition.

Buswinka pointed out that the Planning Commission can deliberate on the application evaluating it from a planning perspective. From a planning perspective, Planning Commission could consider that Olga Street no longer acts as a functioning street as evidence by the parking lot that was built on the road right-of-way property, the fences that have been built within the street right of way, and the trees and other brush that has been allowed to grow within the open space, nor does it appear that anyone utilizes the road as a thoroughfare.

Buswinka stated that the Planning Commission is providing City Council with only a recommendation and therefore, if the Planning Commission so chose, they could make a recommendation and move this request forward to City Council for their approval and staff will ensure that all surveys and legal descriptions will be included in their packet for Council and legal counsels review.

However, because the petitioners are not in agreement on who would assume ownership of different portions of the street, Buswinka recommends that the three original applicants meet to discuss their issues, come to an agreement, have the road properly and completely surveyed, and then present their application to the City. The Planning Commission could still make a recommendation that the street become vacated conditioned on the end result of the petitioners reaching an agreement regarding land ownership and providing a survey of the property.

**Bob Slawinski** requested legal property descriptions and a survey be included with the information. The petitioners may come up with an easement agreement that would allow Mr. Pachesny to cross his neighbor's private property and therefore achieve the type of access he has become accustomed to the rear of his property. Mr. Slawinski asked that the applicants meet to discuss these issues to develop a solution between themselves and present this agreement to the Planning Commission.

**Rob Carson, County Planner,** in order to vacate the street, the Planning Commission can recommend to the City Council how the road right-of-way should be divided between the property owners.

**Mick Szymanski** stated Olga Street should have been vacated when US 31 went through. This street has never been a usable street.

**Donald Pachesny, 305 Ninth Street,** is concerned if the street is sectioned off a certain way, he will be landlocked and will own only a section of hill and no flat piece of ground.

**Gary Niesen, 296 Tenth Street,** care must be taken if Olga Street is vacated and divided between the 3

adjacent landowners that their property still be in compliance. If the street is not vacated and is left as a street this may make his property a nonconforming lot.

**Chair Wittlieff** stated all pertinent information needs to be presented to the Planning Commission at the next meeting before making a decision and moving the matter forward to the City Council.

**MOTION** by Maureen Barry, seconded by Marlene McBride to table the vacating of Olga Street until the following information is presented at the next Planning Commission meeting: more detailed information of the legal descriptions, surveys of the properties, a more detailed plan of agreement between the landowners of who would be getting what portion of the right-of-way and can the city sell the land to the adjoining parcel owners.

With a Roll Call vote the motion passed 6 to 0.

Yes: Barry, Slawinski, McBride, Thomas, Szymanski and Wittlieff

No: None

#### **OLD BUSINESS**

None.

#### **MEMBERS DISCUSSION**

Chair Wittlieff stated those in attendance need to introduce themselves and the agenda be in the old format.

The next regular meeting of the Planning Commission will be held on Thursday, January 3, 2019.

#### **ADJOURNMENT**

Motion by Bob Slawinski, seconded by Rochelle Thomas that the meeting be adjourned. MOTION PASSED UNANIMOUSLY.

Meeting adjourned at 7:55 pm.

MANISTEE PLANNING COMMISSION

\_\_\_\_\_  
Nancy Baker, Recording Secretary

**CITY OF MANISTEE  
PLANNING COMMISSION  
BY-LAWS AND RULES OF PROCEDURES**

**1. AUTHORITY**

These By-laws and Rules of Procedures are adopted by the Planning Commission of the City of Manistee, County of Manistee, (hereinafter referred to as the Commission) pursuant to Public Act 110 of 2006, as amended, the Michigan Zoning Enabling Act; Public Act 33 of 2008, as amended being the Michigan Planning Enabling Act, the City of Manistee Zoning Ordinance, and the Public Act 267 of 1976, as amended, the Open Meetings Act.

**2. OFFICERS**

- 2.1 Selection. At the December meeting, the Planning Commission shall elect a chair, vice-chair and secretary who shall serve for the next twelve (12) months and who shall be eligible for re-election. Vacancies in an office of the Commission shall be filled at the next regular meeting of the Commission. The membership shall elect one of its members to fill the vacancy until the next annual election.
- 2.2 Duties. The chair shall preside at all meetings and shall conduct all meetings in accordance with the rules provided herein.
- The vice-chair shall act in the capacity of the chair in the absence of the chair or in the event of a vacancy in the office of chair; in which case, the Commission shall select a successor to the office of vice-chair at the earliest practicable time.
  - The Secretary shall be responsible for execution of documents in the name of the Planning Commission, the preparation of minutes, keeping of pertinent public records, delivering communications, reports, and related items of business of the Commission, issuing notices of public hearings and performing related administrative duties to assure efficient and informed Commission operations.
  - The Secretary may appoint a Recording Secretary to handle the administrative functions of the office. In the event the Secretary is absent, the chair or acting chair shall appoint a temporary secretary for such meeting.
- 2.3 Tenure. The officers shall take office at the first regularly scheduled meeting immediately following their election. They shall hold their office for a term of one year, or until their successors are elected and assume office.

**3. MEETINGS**

- 3.1 Meeting Notice. Notice of all meetings shall be posted at City Hall by December 31<sup>st</sup> of each year. The notice shall include the date, time and place of the meeting. Any changes in the date or time of the regular meetings shall be posted and noticed in the same manner as originally established. When a regular meeting date falls on or near a legal holiday, the Commission shall select suitable alternate dates in the same month, in accordance with the Open Meeting act.
- 3.2 Removal from Office. The legislative body may remove a member of the planning commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing.

- 3.3 Commission Absences. In order to maintain the maximum participation of all appointed Planning Commission members at all scheduled meetings, the following is the attendance guide and Commissioner replacement policy for “excused” or “unexcused” absences:
1. When appointed, each Commissioner should state his/her willingness and intention to attend each scheduled meeting of the Planning Commission.
  2. In the event of unplanned personal matters, business trips, family vacation trips, changed job requirements, sickness, or other physical disabilities that prohibit the Commissioner from attending the scheduled meeting; the Commission Chair or staff Liaison to the Planning Commission should be notified as soon as possible prior to the time of the scheduled meeting of their inability to attend. The Commissioner upon this notification will receive an “excused absence” for the involved scheduled meeting.
  3. If any Commissioner is absent from three (3) consecutive scheduled meetings without an “excused absence” for any of the three (3) meetings, the Commissioner shall be reported in writing to the City Manager. The City Manager will contact the Commissioner in writing and question his/her continued ability or interest in being on the Commission, giving the member a chance to rectify the attendance issue or submit a resignation.
  4. There will be no limit on the number of consecutive “excused absences” for any Commissioner. However, if the Commissioner is repeatedly absent for at least 50% of the yearly scheduled meetings, that member will also be reported in writing to the City Manager. The City Manager will contact the Commissioner in writing and question the member’s continued ability or interest to be on the Commission. The Commissioner will be considered for appointment nullification when the absences total six in the calendar year.
  5. The appointment nullification action would be initiated by the City Manager and forwarded on to the City Council for official action.
- 3.4 Special Meetings. A special meeting may be called by three members of the Planning Commission upon written request to the Secretary or by the Chairperson. The business which the Planning Commission may perform shall be conducted at a public meeting of the Planning Commission held in compliance with the Open meeting Act. Public Notice of the time, date, and place of the special meeting shall be given in a manner as required by the Open Meeting act, and the Secretary or Recording Secretary shall provide notice to commission members by writing, telephone, or e-mail.
- 3.5 Quorum. In order for the Commission to conduct business or take any official actions, a quorum consisting of at least four of the seven members of the Commission shall be present. When a quorum is not present, no official action, except for the closing of the meeting may take place. The members of the commission may discuss matters of interest, but shall take no action until the next regular or special meeting. All public hearings without a quorum shall be scheduled for the next regular or special meeting and no additional public notice is required provided the date, time and place is announced at the meeting.
- 3.6 Public Hearings. Hearings shall be scheduled and due notice given in accordance with the provisions of the Acts and Ordinance cited in Section 1. Public hearings conducted by the Planning Commission shall be run in an orderly and timely fashion. This shall be accomplished by the following procedure.

1. The Chair of the Planning Commission shall announce that a public hearing will be conducted on a request.
  2. The Chair may read the public hearing announcement as published in the newspaper and give a brief description of the hearing subject and the public notice procedure.
  3. The Chair may announce the following hearing rules:
    - a. The Chair will recognize each speaker. When a speaker has the floor, he/she is not to be interrupted unless time has expired. Persons speaking without being recognized shall be out of order.
    - b. Each speaker shall state their name and address for the record and may present written comments for the record.
    - c. Speakers shall address all comments and questions to the Planning Commission and comments will be limited to the subject matter of the Public Hearing.
    - d. Unless waived by the Planning Commission for a specific meeting or a specific speaker, public comment shall be limited to five (5) minutes per speaker, one time only. If a group of people wish to be heard on one subject, a spokesperson may be designated who may request that more than five (5) minutes be permitted for collective comments of the group as presented by that speaker.
    - e. The Chair may require that repetitive comments be limited or abbreviated in the interest of saving time and allowing others to speak. Everyone shall have an opportunity to speak before someone is allowed to speak a second time.
    - f. The Chair may establish additional rules of procedure for particular hearings as he/she determines appropriate.
    - g. Normal civil discourse and decorum is expected at all times. Applause, shouting, outbursts, demonstrations, name-calling or other provocative speech or behavior may result in removal from the hearing or an adjournment.
  4. Once all public comments have been stated, the Chair shall close the hearing. Any voting member of the Planning Commission may initiate a motion to close the hearing.
  5. Public Hearings may be carried out in the following format:
    - a. The Chair shall open the hearing.
    - b. The Applicant shall present any comments and explanation of the case. Applicant's presentation shall not be subject to the five (5) minute limitation.
    - c. The City staff and any consultants serving the City shall present their reports.
    - d. The hearing will be opened for public comment.
    - e. The public comment period will be closed.
    - f. Deliberation and discussion by the Planning Commission.
    - g. Disposition of the case by the Planning Commission.
- 3.7 Motions. Motions shall be restated by the Chair before a vote is taken. The name of the maker and supporter of each motion shall be recorded.
- 3.8 Voting. An affirmative vote of the majority of those members present shall be required for the approval of any requested action or motion placed before the Commission. Voting shall ordinarily be by voice vote; provided however that a roll call vote shall be required if requested by any Commission member or directed by the Chairperson. All members of the Commission including the Chairperson shall vote on all matters, but the Chairperson shall vote last.
- 3.9 Order of Business. A written agenda for all regular meetings shall be prepared as followed. The order of business shall be:



Call to Order.  
Roll Call  
Approval of Agenda  
Approval of Minutes  
Public Hearings  
Public Comment on Agenda related items  
New Business  
Old Business  
Public Comments and Communications  
Correspondence  
Staff Reports  
Members discussion  
Adjournment

A written agenda for special meeting shall be prepared and followed, however the form as enumerated above shall not be necessary.

- 3.10 Rules of Order. All meetings of the Commission shall be conducted in accordance with generally accepted parliamentary procedure as adopted by City Council for all Boards and Commissions within the City of Manistee.
- 3.11 Agenda Items. For an item to be considered at a regular Planning Commission meeting, it must be submitted to the City Community Development Department no later than the established policy of the City prior to the next scheduled Planning Commission Meeting.
- 3.12 Conflict of Interest: Before casting a vote on a matter on which a member may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the planning commission. The member is disqualified from voting on the matter if so provided by the bylaws or by a majority vote of the remaining members of the planning commission.
1. As used here, a conflict of interest shall at a minimum include, but not necessarily be limited to, the following:
    - a. A commission member issuing, deliberating, voting or reviewing a case concerning himself.
    - b. A commission member issuing, deliberating, voting or reviewing a case concerning work on land owned by himself.
    - c. A commission member issuing, deliberating, voting or reviewing a case involving a corporation, company, partnership, or other entity in which he is a part owner, or any other relationship where he may stand to have a financial gain or loss.
    - d. A commission member issuing, deliberating, voting or reviewing a case which is an action which results in a pecuniary benefit to himself.
    - e. A commission member issuing, deliberating, voting or reviewing a case concerning his spouse, children, step-child, grandchildren, parents, brother, sister, grandparents, parents in-law, grandparents in-law or member of his household.
    - f. A commission member may consider the possibility of declaring a conflict of interest if his/her home falls within a notification radius used for a Public Hearing. Because the sending of the notice automatically presumes some degree of interest, this fact should be recognized by declaring a conflict, particularly if a financial impact is likely.
    - g. A commissioner who feels, in his/her judgment that his/her job, scope of duties

and/or position may be at risk, pending the outcome of the permitting process.

2. A commission member shall, when he/she has a conflict of interest do the following immediately, upon the first review of the case and determining a conflict exists:
  - a. declare a conflict exists at the beginning of the meeting where the case appears on the agenda, or when the topic brought up so such declaration is recorded in the minutes, and
  - b. refrain from participating in the discussion, site inspection or review of the case, except where specific information has been requested by the commission, and
  - c. refrain from casting a vote on any motion having to do with the case.

#### **4. MINUTES**

- 4.1 Preparation. Commission minutes shall be prepared by the Secretary or Recording Secretary of the Commission. The minutes shall contain a brief synopsis of the meeting, including a complete restatement of all motions and recording votes; complete statement of the conditions or recommendations made on any action; and recording of attendance. All communications, action and resolutions shall be attached to the minutes.

#### **5. OPEN MEETINGS AND FREEDOM OF INFORMATION PROVISIONS**

- 5.1 All meetings of the Commission shall be open to the public and held in a place available to the general public.
- 5.2 All deliberations and decision of the Commission shall be made at a meeting open to the public.
- 5.3 A person shall be permitted to address a hearing of the Commission under the rules established in subsection 3.5, and to address the Commission concerning non-hearing matters at the time designated for such comments.
- 5.4 A person shall not be excluded from a meeting of the Commission except for breach of the peace, committed at the meeting.
- 5.5 All records, files, publications, correspondences, and other materials are available to the public for reading, copying, and other purposes as governed by the Freedom of Information Act.

#### **6. COMMITTEES**

- 6.1 Executive Committee. The Executive Committee of the Planning Commission shall consist of the Chair, Vice -Chair and Secretary. The Executive Committee shall be the Joint Ordinance Review Committee.
- 6.2 Committees. The Planning Commission or Chair of the Planning commission may establish and appoint standing and/or ad hoc committees for special purposes or issues, as deemed necessary. No more than three members of the Planning Commission may serve on a standing and/or ad hoc committee at any given time. Committee appointments shall be made at the first regular meeting held in January of each year or at the time the committee is formed.

- 6.3 Rules of Procedure. All Sub-committees are subservient to the Planning Commission and report their recommendations to the Planning Commission for review and action and shall be conducted in accordance with generally accepted parliamentary procedure as adopted by City Council for all Boards and Commissions within the City of Manistee.

## 7. ANNUAL REVIEW OF BY-LAWS

The Commission shall annually review their By-Laws at the regularly scheduled meeting in January.

## 8. AMENDMENTS

These rules may be amended by the Commission by a concurring vote subject to subsection 3.7, during any regular meeting, provided that all members have received an advanced copy of the proposed amendments at least three (3) days prior to the meeting at which such amendments are to be considered.

I HEREBY CERTIFY that the above Bylaws were adopted the 3<sup>rd</sup> day of January 2013.

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NAME, Secretary

As Amended by the Planning Commission at their regularly scheduled meeting of March 5, 2009.

[Amendments included requirements of the new Michigan Zoning Enabling Act and Michigan Planning Enabling Act.]

[Annotation: As approved by the City Council at their June 2, 2009 Meeting - Council authorized the bylaw amendments for all Boards and Commissions to include the new Board Absences language; directed all boards or commissions to implement and follow these changes as Council has requested; and authorized the Mayor to sign the amended bylaws.]

[Annotation: Section 3.9 Order of Business was amended at the January 6, 2011 Planning Commission Meeting by adding "Public Comment on Agenda related items" after Public Hearings]

[Annotation: Section 3.9 Order of Business was amended at the January 6, 2011 Planning Commission Meeting by adding "Public Comment on Agenda related items" after Public Hearings]

[Annotation: on January 3, 2013 the Planning Commission amended the first sentence of Section 3.5 Quorum as follows: In order for the Commission to conduct business or take any official actions, a quorum consisting of at least ~~five~~ **four** of the ~~nine~~ **seven** members of the Commission shall be present.]

Annotation: on January 3, 2013 the Planning Commission amended the second sentence of Section 6.2 Committees as follows: No more than ~~four~~ **three** members of the Planning Commission may serve on a standing and/or ad hoc committee at any given time.]

Approved by the City of Manistee Council

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Date

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Roger Zielinski, Mayor



# Planning Commission

**Tamara Buswinka, A.I.C.P.**  
**Planning/Zoning Administrator**  
395 3<sup>rd</sup> St.  
Manistee, MI 49660  
231.398.3576  
tamara@manisteecountymi.gov  
www.manisteemi.gov

**DATE:** January 24, 2019  
**FROM:** Tamara Buswinka, A.I.C.P.  
**RE:** Sub-Committee Appointments

According to the By-Laws of the City of Manistee Planning Commission the Chair will appoint members of the Planning Commission to serve on Sub-Committees of the Planning Commission and one member who shall serve on the Zoning Board of Appeals.

The Sub-Committees are:

- Executive Committee (Chair, Vice Chair, Secretary)/Ordinance Re-Write Committee (3 members)
- Site Plan Review/Subdivision Committee (3 members plus 2 alternates)
- Zoning Board of Appeals (1 member)

The purpose of the Sub-Committees are as follows:

- Executive Committee (Chair, Vice Chair, Secretary)/Ordinance RE-Write Committee
  - Members of this committee will assist in reviewing the Zoning Ordinance for areas that need to be changed and/or updated and if needed review Zoning Ordinance Amendments with the City Council Ordinance Review Committee. Meet as needed.
- Site Plan Review/Subdivision Committee
  - Site Plan Review Committee: Members of this committee will review Medium Site Plans for new construction; the Zoning Administrator has the option to forward requests to the Committee. Committee Review required for Planning Unit Developments.
  - The Subdivision Committee: This committee is required under Section 1242.03 of the Code of Ordinances.
  - Both Committees meet as needed.
  - Two alternates are required to be appointed as well.
- Zoning Board of Appeals
  - One member of the Planning Commission will be appointed as the Planning Commission Representative on the Zoning Board of Appeals.



## Planning Commission



Tamara Buswinka, A.I.C.P.  
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DATE: January 24, 2019  
FROM: Tamara Buswinka, A.I.C.P.  
RE: Anticipated PUD Submission

Planning Commissioners;

I would like to bring to your attention that the City has been presented with the opportunity to develop housing on the old Washington School site by Joe Hollander. Enclosed are the minutes from the December 11, 2018 City Council Work Session where Mr. Hollander gave a short presentation of his intentions for the project.

Mr. Hollander has expressed his interest in applying for a Planned Unit Develop (PUD). With a sensitivity to the fact that Mr. Hollander has an April 1st, 2019 deadline for approval of tax credits through MSHDA (Michigan State Housing Development Authority), the timeline for consideration of the PUD application must be considered in order to ensure efficiency while not jeopardizing thoroughness. Enclosed you will find a copy of an email that Rob Carson drafted after he and I concluded a conference call with the architects working for Joe Hollander to develop the old Washington School site.

No action is required at this time.

If you have any questions please do not hesitate to contact myself or Rob.

**MANISTEE CITY COUNCIL  
WORK SESSION  
MINUTES OF DECEMBER 11, 2018**

The Manistee City Council met in a work session on Tuesday, December 11, 2018 at 7:00 p.m., Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan 49660.

**MEMBERS PRESENT:** Dale Cooper, Lynda Beaton, Roger Zielinski, Robert Goodspeed, Michael Szymanski, James Grabowski, and Erin Pontiac

**ALSO PRESENT:** City Manager – Thad Taylor, City Clerk – Heather Pefley, Finance Director – Edward Bradford, DPW Director – Jeff Mikula, Public Safety Director – Tim Kozal, Planning & Zoning Director – Rob Carson, Boards & Commissions, and Public

City Manager Thad Taylor introduced Project Rising Tide Fellow Lissette Reyes. Lissette gave a brief overview of her background and thanked everyone for welcoming her.

***Public Comments.***

Stacie Bytwork - Chamber of Commerce / commented on the proposed Hollander Development; housing is a huge barrier in our community; asked Council to work with developers.

James Smith, 353 First Street / commented on the Community Pool; generosity of the Paine family is commendable although questioned the obligation of the City to subsidize; would like Council to consider asking tax payers for Headlee override to fund.

Laura Heintzelman, 1843 Lakeshore Road, Manistee Community Foundation / remarked on two issues 1) Paine Community Pool is an important asset to our community; swim lessons for our children; draws people to our area with the swim program 2) pleased to see potential housing solution on the agenda; an ongoing community challenge.

Jeff Dontz, 405 E. Kott Road / commented on the proposed Hollander Development; changes need to be made to increase population; jobs are available in the community and people need places to live.

***Discussion on Proposed Hollander Development and Pilot.*** City Manager Thad Taylor led the discussion on the proposed Hollander Development. A presentation was made by Joe Hollander on a proposed affordable housing development on the former Washington School property. He reviewed the plans for the 50-unit development which is to include 1 & 2 bedroom units. He discussed various components of his plans including financing options, government assistance and approvals that will be needed. Proposing a Pilot with an essential services fee to the City.

**CONSENSUS:** Council is interested in hearing more and would like this added to the January 2, 2019 agenda.

***Discussion on Intergovernmental Community Pool Agreement.*** City Manager Thad Taylor asked Council for direction on the Intergovernmental Community Pool Agreement that is set to expire in 2019. He asked if Council is interested in a successor agreement; same agreement extended or with modifications.

CONSENSUS: Council asked for the following items to be researched and brought back for review:

- Breakdown of users of pool
- Equitable formula
- Other contributors – fee reduction
- City Attorney to review and make sure this agreement follows municipal spending rules
- Paine Pool Board Minutes
- Neighboring Communities with similar pool agreements

**Annual RRC Board and Commission Discussion to Identify and Prioritize Redevelopment Sites.** Planning and Zoning Director Rob Carson led the annual joint meeting along with Tamara Buswinka for the City Council, Planning Commission, HDC, BRA, DDA, and ZBA for the review of sites to be featured for redevelopment on Zoom Prospector through the State of Michigan RRC Program. The annual joint meeting is required by the State of Michigan for Redevelopment Ready Communities.

**Members Present:**

Brownfield Redevelopment Authority: M. McBride, J. Stege, R.K. Pomranky

Downtown Development Authority: S. Wild, T. Eftaxiadis; B. Lind

Historic District Commission: R. Albee

Planning Commission: M. McBride, R. Slawinski, R. Thomas

Zoning Board of Appeals: G. Zaring, M. McBride

**Reviewed 2017 Sites - SOLD**

302 First Street – New owner December 2017

21 Cypress Street, (Mobile Station) – New owner

401 River Street, (City Drug) – Manistee Beverage Company

55 Division Street (FOE Eagles) – Christian Faith Church

120 Cypress Street (West Michigan Bank) – Little Caesar's

77 Hancock Street (Paintball Extreme) – The Tabernacle

**Reviewed 2018 Potential Development Sites:**

Address (Common name)	Notes
28, 30 & 32 Arthur Street (Blarney Castle)	Listed on Web Page – for sale
212 Arthur Street (State Police Post)	State may have released property for sale
Cherry Road (Vacant – 55 Acres)	Listed on Web Page – for sale
160, 170 & 172 Memorial Drive (Oleson's)	Save A Lot opened in 2018
51 Ninth Street (Old Century Boat)	Owner has property for sale
200 River Street (Seng's)	Owner has property for sale
254 River Street (Iron Works)	Listed on Web Page – for sale
283 & 285 River Street, (American Cleaners)	Listed on Web Page – Featured site Developers Day
319 & 321 River Street	Listed on Web Page – Featured site Developers Day
375 River Street (Bank Building)	Owner has property for sale
400 River Street (former Glik's)	Listed on Web Page – for sale
435 & 437 River Street (Manistee Variety)	Owner has property for sale
440 River Street (Boathouse)	Property in foreclosure (sale in November??)
451 & 453 River Street (Jones)	Owner has property for sale
141-149 Washington Street (Hotel Northern)	Owners working on a development plan
443 Water Street (Amor's)	Listed on Web Page – Featured site Developers Day
480 Water Street (Johnson's)	Listed on Web Page – for sale

Nominations were requested for Potential Development Sites. The following nominations were received:

- Ed Bradford – BRA Administrator
  - Old Consumers Energy Property
- DDA
  - Gas station 31 & River
  - 355 River Street – Jackpine
  - 61 Filer Street
  - 346 River Street
  - House of Flavors
  - 100 Washington Street
  - Tamarack & 12<sup>th</sup> Street – not in DDA / Barry Lind nomination
- Planning Commission
  - 347/349/411 River Street
- City Council
  - Building at 1<sup>st</sup> & Cedar
  - Old Salty Dog – Main Street

A list will be made and distributed with all nominated sites added so all sites can be ranked.

Adjourned at approximately 8:22 p.m.

Heather Pefley CMC | CMMC | MiCPT  
City Clerk



AICP Manistee County Planning Director Rob Carson <rcarson@manisteecountymi.gov> 1/17/2019 5:03 PM

## Hollander Development PUD Process and Timeline

To Tamara Buswinka <tamara@latitude44.consulting> • Jeff Mikula <jmikula@manisteemi.gov> •  
Shawn Middleton <shawnm@spicergroup.com> • Tim Kozal <tkozal@manisteemi.gov> •  
George Saylor (GSaylor@mikameyers.com) <gsaylor@mikameyers.com> Copy  
Thad Taylor <ttaylor@manisteemi.gov> • bobms44a@gmail.com <bobms44a@gmail.com> •  
Mark Wittlief <m.wittlief@hotmail.com> • vams\_szymanski@yahoo.com <vams\_szymanski@yahoo.com> •  
manisteemo@gmail.com <manisteemo@gmail.com> • shellyt481@gmail.com <shellyt481@gmail.com> •  
Nancy Baker <nbaker@manisteecountymi.gov> • ericm@hdjinc.com <ericm@hdjinc.com> •  
brianh@hdjinc.com <brianh@hdjinc.com> •  
jhollander@hollanderdevelopment.com <jhollander@hollanderdevelopment.com> •  
Cindy Lokovich <clokovich@manisteemi.gov> • Heather Pefley <hpefley@manisteemi.gov> •  
Lora Laurain <llaurain@manisteemi.gov>

---

All,

Tamara and I had the pleasure of speaking with the development team/architects this afternoon who are preparing the site plan and materials for Hollander Development for the submission to the City of Manistee under the Planned Unit Development provisions of the City's Zoning Ordinance. This project is seeking approval of tax credits through MSHDA with a submittal deadline to MSHDA of April 1<sup>st</sup>, 2019. In order to submit the application to MSHDA, the development PUD must be approved prior to submittal; therefore we must be diligent in this PUD process to ensure that we meet this deadline. I am going to lay out the timeline below for the process, and ask that all of us involved in the review please work to keep this process moving forward within the confines of the timeline.

**February 5<sup>th</sup>:** This is the latest that we can receive a completed PUD application and meet the requirements of the City's Zoning Ordinance. We have been in communication with the development team and they are working towards submittal of a preliminary site plan very soon with the civil designs arriving by the deadline date.

**February 5<sup>th</sup>-February 12<sup>th</sup>:** Review of the full site plans by the site plan review committee. We will need all members of the site plan review committee to perform their review in a timely manner with comments coming back to the Planning Department by the end of the day on February 12<sup>th</sup>. We will schedule a meeting within this timeframe to discuss the site plan and application.

**February 13<sup>th</sup>:** We will communicate to the development team all comments received from the site plan review committee. They can then incorporate any comments/revisions that are necessary into the site plans for resubmittal (if necessary).

**February 15<sup>th</sup>:** Public Hearing Notice will be placed on the City's website along with the PUD Site Plan and Packet. Public Hearing Notice is placed in the newspaper and posted at City Hall. The mailing to all property owners within 300' of the subject property will be mailed on this day also.

**February 22<sup>nd</sup>:** Submittal of a final site plan and packet by development team with all necessary revisions completed and included. If there was a need for revisions to the plan they must be incorporated and returned to us by this date.

**March 7<sup>th</sup>:** Public Hearing held by the City Planning Commission. The Planning Commission will hold a public hearing on the PUD application at their 7pm meeting. Following the public hearing the Planning Commission can either approve the PUD, approve the PUD with conditions, table the discussion or deny the PUD application. It is our hope to have everything in order to assist the Planning Commission in having an easy approval. If for any reason the PUD is tabled due to the need for a revision, we have just (barely) enough time remaining in March to call a special meeting and allow the development team to make any last revisions.

**Before April 1<sup>st</sup>:** Assuming the PUD meets approval of the Planning Commission we will forward all information for the Final Permit including conditions in permit form to George Saylor for legal review of the PUD "Special Use Permit", after legal approval we will then seek to have the PUD submitted by the City Clerk to the County Register of Deeds office for recordation prior to April 1<sup>st</sup>.

This is an ambitious timeline, but it is also entirely realistic. We just ask that everyone please work with us to see that this submittal and subsequent review occurs within the timeline allotted within this email. This is a project that has wide community support and we want to do our part to ensure that it is successful.

If you have any questions please send them our way.

Thanks,

Rob and Tamara

*Robert T. Carson, A.I.C.P.  
Manistee County Planning Director*

*Manistee County Planning Department  
395 Third St.  
Manistee, MI 49660*

231-398-3525  
[rcarson@manisteecountymi.gov](mailto:rcarson@manisteecountymi.gov)



## Planning Commission



**Tamara Buswinka, A.I.C.P.**

**Zoning Administrator**

395 3<sup>rd</sup> St.

Manistee, MI 49660

231.398.3576

[Zoningadministrator@manistee](mailto:Zoningadministrator@manistee)

[countymi.gov](http://countymi.gov)

[www.manisteemi.gov](http://www.manisteemi.gov)

DATE: January 24, 2019  
FROM: Tamara Buswinka  
RE: Tabernacle Church

Commissioners;

I would like to make you aware that the Tabernacle Church, which received a Special Land Use Permit in 2018, is interested in:

- beginning services before they improve their parking lot,
- changing their parking lot paving material,
- changing their parking lot parking configuration, and
- altering their landscaping treatment.

While they have not submitted a request to amend their Special Land Use Permit yet, I anticipate that they will soon and wanted to make you are aware. While the Zoning Administrator has the authority to make some decisions regarding proposed parking lot changes, I feel that enough changes are being requested that the Site Plan Review Committee will need to be convened to review and possibly approve the changes.

In addition, the Tabernacle Church is proposing using a pervious surface for their parking lot. The pervious surface is actually grass pavers that look like a field of grass (when cars are not parked on the lot) but are strong enough to support use by cars. The use of pervious paving material is allowed by the Ordinance however, the Ordinance requires that the pervious paving be stripped-which is not practical. The Planning Commission may be asked to amend the Ordinance to bring the standards up to specification that are typically required for pervious (grass) paving.

No action is required at this time.



# Planning Commission: Staff Report

Tamara Buswinka, A.I.C.P.

Zoning Administrator

395 3<sup>rd</sup> St.

Manistee, MI 49660

231.398.3576

Zoningadministrator@manistee

countymi.gov

www.manisteemi.gov

FROM: Tamara Buswinka, A.I.C.P., City Zoning Administrator

DATE: January 31, 2019

RE: Olga Street Vacation Update

Planning Commission;

You will recall the Olga Street Vacation Request.

The petitioners are:

- Gary Niesen 296 Tenth Street Manistee, MI 49660
- Donald Pachesny 305 Ninth Street Manistee, MI 49660
- Little River Band of Ottawa Indians 2608 Government Center Dr. Manistee, MI 49660

The location of the request is:

- The southern portion of Olga Street from midway block between Eighth Street and Ninth Street; and continuing to the remaining portion of the entire block of Olga Street between Ninth Street and Tenth Street.

The action being requested is:

- To **vacate** the southern portion of Olga Street from midway block between Eighth Street and Ninth Street; and continuing to the remaining portion of the entire block of Olga Street between Ninth Street and Tenth Street.

To keep a record of the meetings and correspondence regarding the vacation of Olga Street since November 2018, you may recall:

- **November 2018:** Mr. Pachesny spoke at the Planning Commission meeting during Public Comment about the request to vacate Olga Street. At that time, the office file seemed to indicate that a public hearing had been held and therefore the remaining step was for the Planning Commission to make a recommendation to City Council. Mr. Pachesny was told that the Planning Commission would consider the request at the December meeting.
- **December 13, 2018:** In reviewing the application for completeness, Zoning Administration discovered that a public hearing was never held for the Olga Street vacation request and therefore the Planning Commission could not take action on the request until the public hearing was completed.
- **January 3, 2019:** A public hearing was held on Thursday, January 3, 2019 at 7:00pm in accordance with the Open Meetings Act. At the meeting the Planning Commission pointed out that the application did not contain surveys of the property being considered. Attached to this Update is the Street Vacation Request Form, a staff Report prepared by Denise Blakeslee dated February 12, 2018, a map showing the areas and parties petitioning for the request, a map showing those

properties a notice of a public hearing was sent to, and surveys of property abutting the parcels owned by Mr. Pachesny and LRBOI. No survey has been submitted by Mr. Niesen for that portion of Olga Street abutting his property. Mr. Niesen has been notified that he needs to submit a survey, as per the request of the Planning Commission, for their review. Planning Commission closed the public hearing and postponed making a decision on the request until all the surveys are submitted and the applicants reach consensus on their application request. At the meeting, Mr. Pachesny pointed out his concern that he was going to be "land locked" from the rear of the property and therefore may no longer support the vacation request. Planning Commission and Staff recommended that Mr. Pachesny consider the option of obtaining an easement from the LRBOI to cross their portion of Olga Street in order to access his property or to evaluate whether 10<sup>th</sup> Street was an option for accessing property.

- **January 10, 2019:** Zoning Administration send a letter to all the applicants inviting them to meet with staff to go over their application and requested that they submit to the Planning Commission, to be submitted by January 30, 2019, the following:
  - All surveys of Olga Street; to date missing from the application is the survey of Mr. Niesen's portion of Olga Street.
  - A letter, addressed from all the applicants, that informs the Planning Commission on their "detailed plan of agreement" reached that makes clear how the property will be distributed as requested in the motion made by the Planning Commission at the Jan. 2019 meeting.
  - The agreement or resolution of Mr. Pachesny's concern regarding "land locking" the rear of his property.
- **January 15, 2019:** Staff met with Mr. Pachesny to discuss the Planning Commission motion and to seek solutions to his issue regarding "land locking" his property. Attached to this Update is an email from Jeff Mikula that clarifies that 10<sup>th</sup> Street does extent to US31. However, the surveys do not show that Mr. Pachnesy's property directly abuts 10<sup>th</sup> Street therefore, it is still not clear how Mr. Pachesny could use 10<sup>th</sup> Street to access the rear of his property.

*Looking at GIS, it appears the Olga St ROW terminates at the south end into the Tenth St ROW and US31 ROW. Typically State Trunklines are fee owned strips. It appears the west 33 ft of Olga would connect to public ROW at the south end. I cannot speak to topography and this should all be verified by the survey they submitted.*

*Jeffrey W. Mikula  
Public Works Director  
City of Manistee*

Staff also had a phone conversation with Mr. Niesen to discuss the request. At that time Mr. Niesen felt that Commissioner's needed to visit the site to fully understand the request. Staff offered to connect Mark Wittlieff and Bob Slawinski with Mr. Niesen to assist him in extending his invitation to view the site(s). Mr. Niesen was notified that the Vacation Request application is missing the survey of that portion of Olga St. that abuts his property.

- **As of January 31, 2019:** No formal information regarding the Olga Street Vacation Request has been submitted by applicants to Zoning Administration for review and therefore the item is not on the agenda other than this Update. On January 31, 2019, Mr. Niesen dropped off a survey for his property, which we were able to include in the February Planning Commission packet, no other information was submitted. While Mr. Niesen verbally told me that the LRBOI was writing a letter that updated the Planning Commission on an agreement between the applicants, to date no correspondence has been received by the City of Manistee Zoning Administration office.

Thank you,  
Tamara Buswinka, A.I.C.P.  
Zoning Administrator: City of Manistee



**Tamara Buswinka, A.I.C.P.**

**Zoning Administrator**

395 3<sup>rd</sup> St.

Manistee, MI 49660

231.398.3576

[Zoningadministrator@manistee](mailto:Zoningadministrator@manistee)

[countymi.gov](http://countymi.gov)

[www.manisteemi.gov](http://www.manisteemi.gov)

Little River Band of Ottawa Indians  
2608 Government Center Dr.  
Manistee, MI 49660

Gary Niesen  
296 10<sup>th</sup> Street  
Manistee, MI 49660

Donald Pachesny  
305 9<sup>th</sup> Street  
Manistee, MI 49660

Thursday, January 10, 2019

Dear Olga Street Vacation Applicants;

At the January 3, 2019 Planning Commission meeting, the Planning Commission made the following motion:

“To table the vacating of Olga Street until the following information is presented at the next Planning Commission meeting: more detailed information of the legal descriptions, surveys of the properties, a more detailed plan of agreement between the landowners of who would be getting what portion of the right-of-way and can the City sell the land to the adjoining parcel owners.”

I would like to invite you to my office to view the survey's I have in my possession provided by Spicer Group to ascertain if they meet the Planning Commission stipulations. I may be found at the Manistee County Planning Department at 395 Third Street on Mondays from 9am-3pm. If they are not complete, then I request that you provide surveys (with legal descriptions) for the property.

I will need a letter addressed from all the applicants that informs the Planning Commission on the “detailed plan of agreement” reached that makes clear how the property will be distributed.

In addition, Mr. Pachesny is concerned about access to the back of his property when Olga Street is vacated. It was suggested as one possible solution that he obtain an easement from his neighbors that would allow him to cross over their property to access his property. If you have chosen to utilize this solution, it would be beneficial to have that easement in place, or at least

agreed upon in writing. Please provide the agreement letter for the Planning Commissions records.

If you would like to be placed on the February 7, 2019 Planning Commission meeting, I will need you to submit the beforementioned items by January 30, 2019.

If you have any questions, please do not hesitate to contact me. I sincerely want to help you achieve your goal of vacating Olga Street.

Sincerely,  
Tamara Buswinka, A.I.C.P.  
City of Manistee Zoning Administrator  
231-398-3576

CC:  
File  
City of Manistee Planning Commission

Jeff Mikula <jmikula@manisteemi.gov>

1/15/2019 2:24 PM

## RE: Olga Street Vacation & 10th Street

To Tamara Buswinka <tamara@latitude44.consulting> Copy Thad Taylor <ttaylor@manisteemi.gov>

Looking at GIS, it appears the Olga St ROW terminates at the south end into the Tenth St ROW and US31 ROW. Typically State Trunklines are fee owned strips. It appears the west 33 ft of Olga would connect to public ROW at the south end. I cannot speak to typography and this should all be verified by the survey they submitted.

Jeffrey W. Mikula  
Public Works Director  
City of Manistee

(231) 723-7132 work  
(231) 510-6050 cell

[jmikula@manisteemi.gov](mailto:jmikula@manisteemi.gov)

---

**From:** Tamara Buswinka [mailto:[tamara@latitude44.consulting](mailto:tamara@latitude44.consulting)]

**Sent:** Monday, January 14, 2019 10:47 AM

**To:** Jeff Mikula <[JMikula@manisteemi.gov](mailto:JMikula@manisteemi.gov)>

**Cc:** Thad Taylor <[ttaylor@manisteemi.gov](mailto:ttaylor@manisteemi.gov)>

**Subject:** Olga Street Vacation & 10th Street

Hi Jeff,

Mr. Pachesny would like to know if 10th Street extends all the way to US31. He would like to know this because he is NOT in favor of vacating Olga Street if he can not use 10th Street to access the rear of his property.

If you are not the person who can answer this question, could you please direct me to the person who can?

Thank you,

Tamara



*Tamara Buswinka, A.I.C.P.*

*President, Latitude 44 Consulting*

*Economic and Community Development Services*

[tamara@latitude44.consulting](mailto:tamara@latitude44.consulting)





Planning & Zoning, City Hall  
70 Maple Street  
Manistee, MI 49660  
231.398.2805 (phone)  
231.723.1546 (fax)

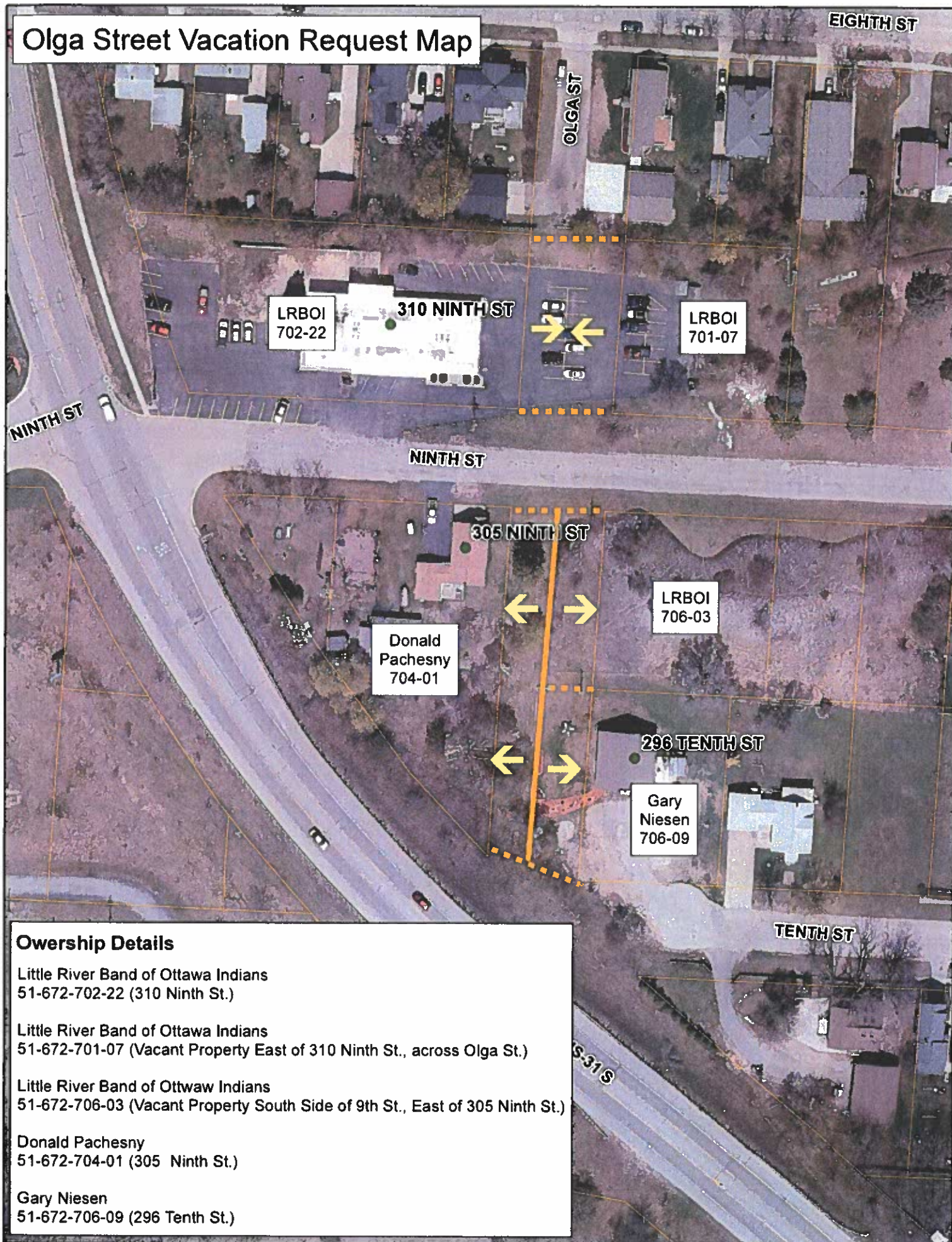
## Street or Alley Vacation Request Form

Please Print

Vacation of a Public Right-of-way Requirements			
Requests must be received 30 days prior to the City of Manistee Planning Commission meeting to be placed on the agenda. Requests require a Public Hearing and Council Approval. Notice shall include publication in a newspaper, posting in City Hall, and notification by first class mail of all parties within 300 feet of the affected portion of street/alley. Applicants must furnish title work to show all easements.			
Applicant Information			
Property Address: 310 Ninth Street		Parcel # 51-672-701-07	
Name of Owner #1: Little River Band of Ottawa Indians			
Mailing Address: 2108 Government Center Dr. Manistee, MI 49660			
Phone #: 231-398-6819		Cell#:	e-mail: caitlinrollins@lrboi-mn.gov
Property Address: 296-10th St.		Parcel # 51-672-706-09	
Name of Owner #2: GARY R. NIESEN			
Mailing Address: 296-10th St.			
Phone #:		Cell#: 231-655-9249	e-mail:
Property Address: 305-9th St.		Parcel # 51-672-704-01	
Name of Owner #3: DONALD RACHESNY			
Mailing Address: 305-9th St.			
Phone #: 723-3616		Cell#:	e-mail:
Property Address: vacant property		Parcel # 51-672-706-03	
Name of Owner #4: Little River Band of Ottawa Indians			
Mailing Address: 2108 Government Center Dr. Manistee, MI 49660			
Phone #: 231-398-6819		Cell#:	e-mail: caitlinrollins@lrboi-mn.gov
Site Plan Requirements			
The applicant is responsible to provide a survey showing the streets and street names and lot dimensions of all parcels involved in the vacation and legal descriptions of the proposed resulting parcels. The Planning Commission reserves the right to require additional information necessary to meet the requirements of the Zoning Ordinance.			
Authorization			
By signing the application the applicant is authorizing City Staff permission to make site inspections as necessary. The undersigned affirms that the information included in this application is correct.			
Applicant #1 Signature: Gary R. Niesen		Date: 9-6-18	
Applicant #2 Signature: Gary R. Niesen		Date: 7/23/18	
Applicant #3 Signature: Donald Rachensny		Date: 7/23/18	
Applicant #4 Signature: Gary R. Niesen		Date: 9-6-18	
<input checked="" type="checkbox"/> Fee of \$750.00 and Site Plan for project attached (permit cannot be issued without site plan)			
Office Use Only			
Fee: <input type="checkbox"/> \$750.00		Receipt #	
Signature: _____		Date: _____	



# Olga Street Vacation Request Map



## Owership Details

Little River Band of Ottawa Indians  
51-672-702-22 (310 Ninth St.)

Little River Band of Ottawa Indians  
51-672-701-07 (Vacant Property East of 310 Ninth St., across Olga St.)

Little River Band of Ottawa Indians  
51-672-706-03 (Vacant Property South Side of 9th St., East of 305 Ninth St.)

Donald Pachesny  
51-672-704-01 (305 Ninth St.)

Gary Niesen  
51-672-706-09 (296 Tenth St.)



# Olga Street Vacation

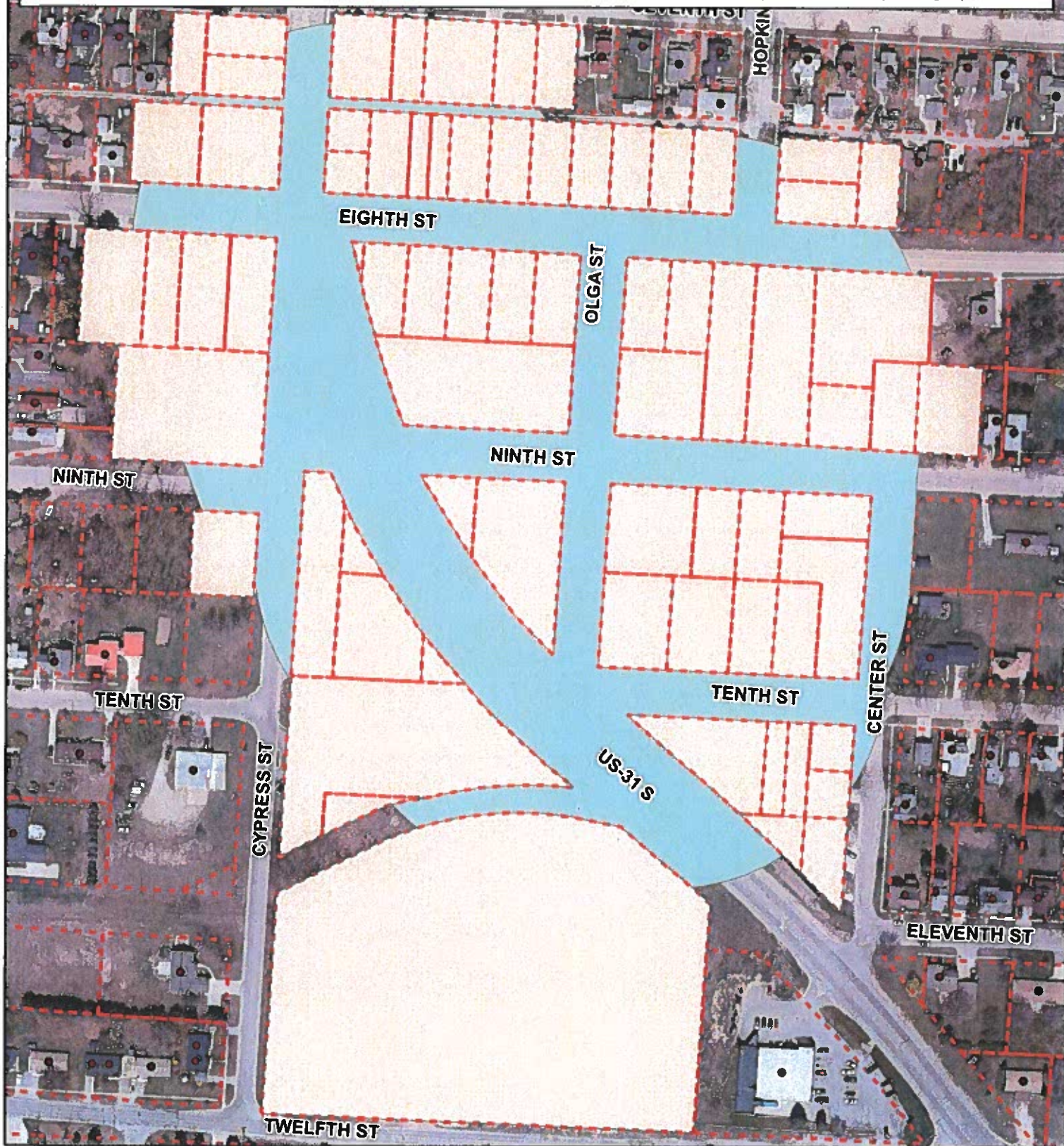
## Public Hearing Notice Map

### Legend

- Roads
- 300' Buffer
- Property Mailing
- Parcels



Map created by the Manistee County Planning Dept 12-07-2018



800 413  
Tx: 4002753  
4/2/2018 1:30:00

20185011 04/02/2018  
Maryann Wiresinski  
Manistee County Register of Deeds

# CERTIFICATE OF SURVEY

LOT 1 & PART OF LOTS 2, 11 & 12  
BLOCK 3 E.N. SALLING'S  
ADDITION TO THE CITY OF  
MANISTEE, MANISTEE COUNTY,  
MICHIGAN



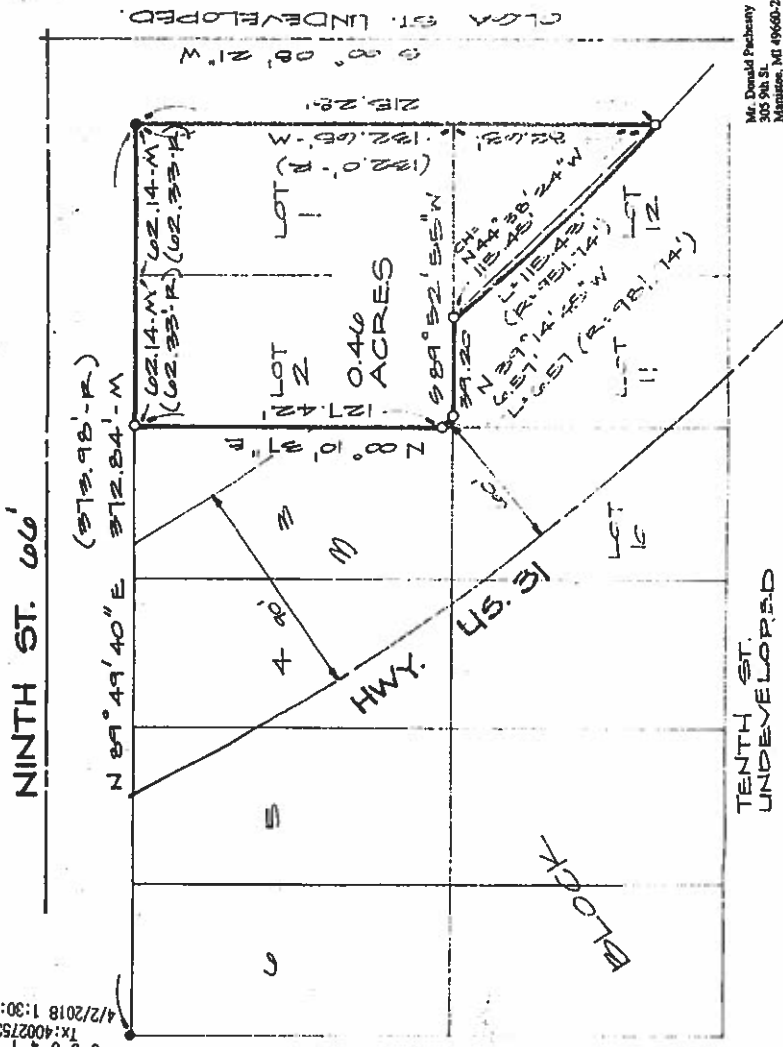
- LEGEND**
- IRON FND
  - IRON SET
  - ▲ P.K. FND
  - △ P.K. SET
  - ⊙ MONUMENT FND
  - ⊕ MONUMENT SET
  - (R) RECORD
  - (M) MEASURED

SCALE 1" = 50.0'

0' 25 50 100

FOR DONALD PACHESNY

DATE DEC. 16, 1992 SHEET 1 OF 1  
ENCL E.K. DMC B.J.L. FILE NO. 92-1917



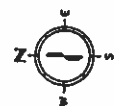
Mr. Donald Pachensny  
305 9th St.  
Manistee, MI 49660-2101

I, the undersigned, being a Registered Land Surveyor, hereby certify that I have surveyed and mapped the above parcel of land, that the ratio of closure of the unadjusted field observations is noted, and within limits and that I have fully complied with the regulations of Act 132, P.A. 1970 as amended.

The basis for bearings is:

Mr. Donald Pachensny  
305 9th St.  
Manistee, MI 49660-2101

Jenema Land Surveys  
82 Division Street  
Manistee, MI 49660  
616-723-7930  
FAX 616-723-5761



Error of Closure is 1'



(R) -RECORDED  
(M) -MEASURED  
● -FOUND SURVEY CORNER  
○ -SET 1/2" # REBAR W/ CAP No. 47944



Spicer Group  
302 River Street  
Manistee, MI 49860  
TEL (231) 794-5620

SCALE: 1" = 40'

NOTE: BEARINGS ARE BASED  
ON MICHIGAN STATE PLANE  
COORDINATES, CENTRAL  
ZONE AND WERE OBTAINED  
BY GPS OBSERVATIONS.

9TH STREET

DWG. NO.: JA-4878-02

(66' WIDE) S.86°-04'-01"E.

125'±

32.99'

FND PIPE

51-672-704-01  
0.42 AC.

N.03°-06'-47"E. 197.07'

VACATED OLGA STREET  
S.03°-07'-56"W. 225.71'

L=43.95'  
R=951.74'  
CHD=N.45°-23'-25"W. 43.94'

FND IRON

L=135'±  
R=951.74'

VACATED OLGA STREET  
ENHANCEMENT PARCEL  
0.16 AC.

SECTION 12, T.21 N.-R.17 W.,  
CITY OF MANISTEE  
MANISTEE COUNTY, MICHIGAN

SURVEY FOR: Donald Pachaszny  
305 Ninth Street  
Manistee, MI 49860

DATE: June 6, 2018

SURVEY OF:

VACATED OLGA STREET ENHANCEMENT PARCEL LEGAL DESCRIPTION:

The West half of Olga Street adjacent to Lots 1 and 12, Block 3, E. N. Salling's Addition to the City of Manistee, as recorded in Manistee County Records, Section 12, T.21 N.-R.17 W., City of Manistee, Manistee County, Michigan, more particularly described as follows: Beginning at the Northeast Corner of said Lot 1, Block 3, E. N. Salling's Addition to the City of Manistee; thence S.86°-04'-01"E., 32.99 feet; thence S.03°-07'-56"W., 225.71 feet to the Northwestern right-of-way line of US-31; thence Northwesterly on the arc of a 951.74 foot radius curve to the right, 43.95 feet, said curve having an long chord bearing and distance of N.45°-23'-25"W., 43.94 feet to the East line of Lot 12; thence N.03°-06'-47"E., on the East line of Lot 12, 197.07 feet to the point of beginning, containing 0.16 acres of land, more or less.

COMBINED PARCEL 51-672-704-01 AND VACATED OLGA STREET ENHANCEMENT PARCEL LEGAL DESCRIPTION  
Lots 1, 2, 11 and 12, Block 3, E. N. Salling's Addition to the City of Manistee, as recorded in Manistee County Records, Section 12, T.21 N.-R.17 W., City of Manistee, Manistee County, Michigan, lying Northeastly of US-31, AND ALSO the West half of Olga Street adjacent to Lots 1 and 12, Block 3, E. N. Salling's Addition to the City of Manistee, as recorded in Manistee County Records, Section 12, T.21 N.-R.17 W., City of Manistee, Manistee County, Michigan, more particularly described as follows: Beginning at the Northeast Corner of said Lot 1, Block 3, E. N. Salling's Addition to the City of Manistee; thence S.86°-04'-01"E., 32.99 feet; thence S.03°-07'-56"W., 225.71 feet to the Northwestern right-of-way line of US-31; thence Northwesterly on the arc of a 951.74 foot radius curve to the right, 43.95 feet, said curve having an long chord bearing and distance of N.45°-23'-25"W., 43.94 feet to the East line of Lot 12; thence N.03°-06'-47"E., on the East line of Lot 12, 197.07 feet to the point of beginning.

I hereby certify that I have surveyed the  
parcel of land hereon shown and described.



By: Patrick G. Bentley  
Patrick G. Bentley  
Professional Surveyor No. 47944

Date: 6-13-18

DRAWN BY: MLU  
CHECKED BY: PGB

PLOT DATE: 06-06-18  
SHEET 2 OF 3

JOB#: 126036SG2018  
DWG#: JA-4878-02

(R) - RECORDED  
(M) - MEASURED  
⊙ - FOUND SURVEY CORNER  
○ - SET 1/2" # REBAR W/ CAP No. 47944

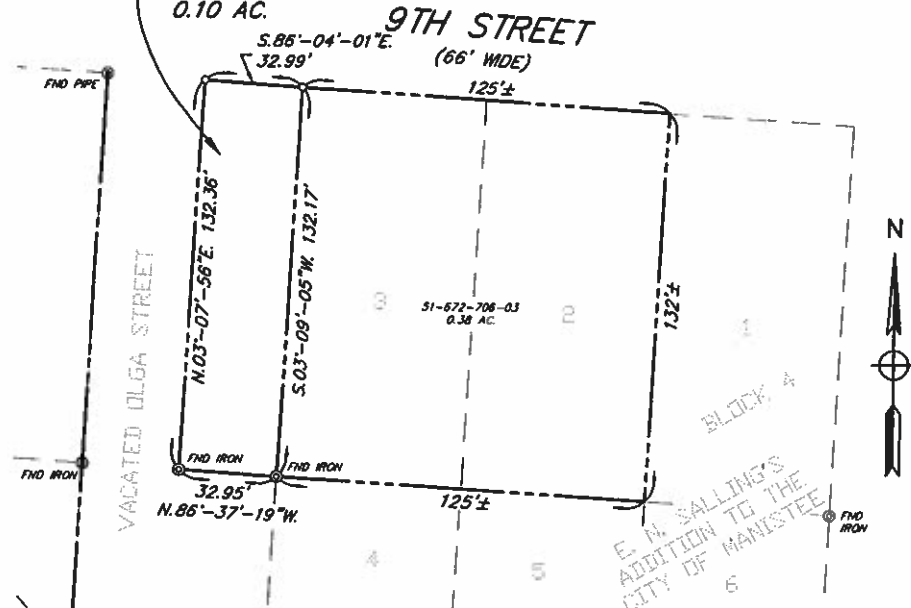


Spicer Group  
302 River Street  
Manistee, MI 49660  
TEL (231) 794-5620

SCALE: 1" = 40'

VACATED OLGA STREET  
ENHANCEMENT PARCEL  
0.10 AC.

DWG. NO.: JA-4878-01



NOTE: BEARINGS ARE BASED ON MICHIGAN  
STATE PLANE COORDINATES, CENTRAL ZONE  
AND WERE OBTAINED BY GPS OBSERVATIONS.

SURVEY FOR: Little River Band of Ottawa Indians  
2608 Government Center Dr.  
Manistee, MI 49660

DATE: June 6, 2018

SURVEY OF:

SECTION 12, T.21 N.-R.17 W.,  
CITY OF MANISTEE  
MANISTEE COUNTY, MICHIGAN

**VACATED OLGA STREET ENHANCEMENT PARCEL LEGAL DESCRIPTION:**

The East half of Olga Street adjacent to Lot 3, Block 4, E. N. Salling's Addition to the City of Manistee, as recorded in Manistee County Records, Section 12, T.21 N.-R.17 W., City of Manistee, Manistee County, Michigan, more particularly described as follows: Beginning at the Northwest Corner of said Lot 3, Block 4, E. N. Salling's Addition to the City of Manistee; thence S.03°-09'-05"W, on the West line of said Lot 3, 132.17 feet to the Southwest Corner of said Lot 3; thence N.86°-37'-19"W, 32.95 feet; thence N.03°-07'-56"E, 132.36 feet; thence S.86°-04'-01"E, 32.99 feet to the point of beginning, containing 0.10 acres of land, more or less.

**COMBINED PARCEL 51-672-706-03 AND VACATED OLGA STREET ENHANCEMENT PARCEL LEGAL DESCRIPTION**  
Lots 2 and 3, Block 4, N. Salling's Addition to the City of Manistee, as recorded in Manistee County Records, Section 12, T.21 N.-R.17 W., City of Manistee, Manistee County, Michigan, AND ALSO The East half of Olga Street adjacent to Lot 3, Block 4, E. N. Salling's Addition to the City of Manistee, as recorded in Manistee County Records, Section 12, T.21 N.-R.17 W., City of Manistee, Manistee County, Michigan, more particularly described as follows: Beginning at the Northwest Corner of said Lot 3, Block 4, E. N. Salling's Addition to the City of Manistee; thence S.03°-09'-05"W, on the West line of said Lot 3, 132.17 feet to the Southwest Corner of said Lot 3; thence N.86°-37'-19"W, 32.95 feet; thence N.03°-07'-56"E, 132.36 feet; thence S.86°-04'-01"E, 32.99 feet to the point of beginning.

I hereby certify that I have surveyed the  
parcel of land hereon shown and described.

By: Patrick G. Bentley  
Patrick G. Bentley  
Professional Surveyor No. 47944

Date: 6-13-18



DRAWN BY: MLU  
CHECKED BY: PGB

PLOT DATE: 06-06-18  
SHEET 1 OF 3

JOB#: 126036SG2018  
DWG#: JA-4878-01

(R) -RECORDED  
(M) -MEASURED  
● -FOUND SURVEY CORNER  
○ -SET 1/2" Ø REBAR W/ CAP No. 47944



Spicer Group  
302 River Street  
Manistee, MI 49660  
TEL (231) 794-5620

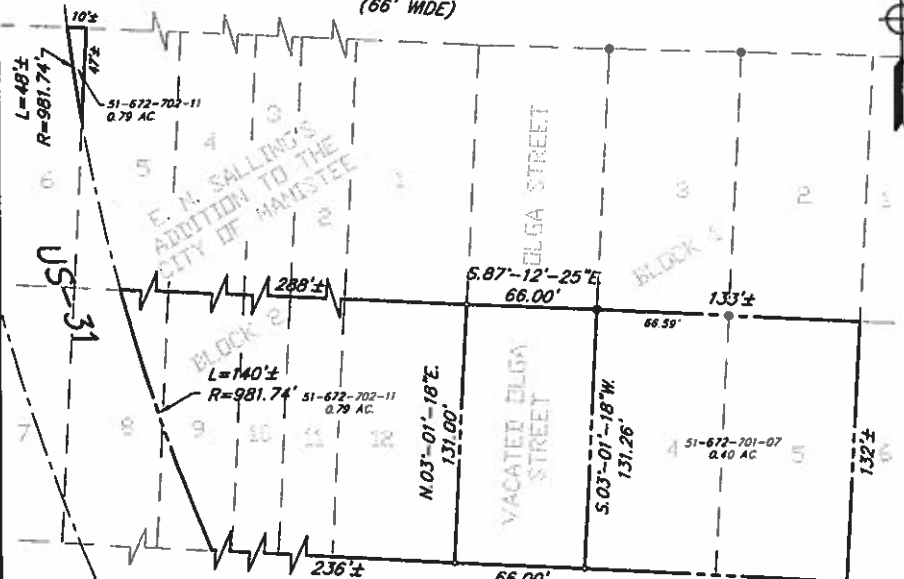
SCALE: 1" = 40'

DWG. NO.: JA-4878-03

SECTION 12, T.21 N.-R.17 W.,  
CITY OF MANISTEE  
MANISTEE COUNTY, MICHIGAN

NOTE: BEARINGS ARE BASED  
ON MICHIGAN STATE PLANE  
COORDINATES, CENTRAL  
ZONE AND WERE OBTAINED  
BY GPS OBSERVATIONS.

8TH STREET  
(66' WIDE)



SURVEY FOR: Little River Band of Ottawa Indians  
2608 Government Center Dr.  
Manistee, MI 49660

N.86°-58'-42"W. 133'±

9TH STREET  
(66' WIDE)

DATE: June 6, 2018

SURVEY OF:

VACATED OLGA STREET ENHANCEMENT PARCEL LEGAL DESCRIPTION:

That part of Olga Street adjacent to Lot 4, Block 1 AND Lot 12, Block 2, E. N. Salling's Addition to the City of Manistee, as recorded in Manistee County Records, Section 12, T.21 N.-R.17 W., City of Manistee, Manistee County, Michigan, more particularly described as follows: Beginning at the Northwest Corner of said Lot 4, Block 1, E. N. Salling's Addition to the City of Manistee; thence N.03°-01'-18"W, on the West line of said Lot 4, 131.26 feet to the Southwest Corner of said Lot 4; thence N.86°-58'-42"W, 66.00 feet to the Southeast Corner of said Lot 12, Block 2; thence N.03°-01'-18"E, on the East line of said Lot 12, 131.00 feet to the Northeast Corner of said Lot 12; thence S.87°-12'-25"E, 66.00 feet to the point of beginning, containing 0.20 acres of land, more or less.

COMBINED PARCEL 51-672-701-07, 51-672-702-11 AND VACATED OLGA STREET ENHANCEMENT PARCEL LEGAL DESCRIPTION:

Lots 4 and 5, Block 1, AND ALSO Lots 6 and 8, Block 2, lying Northeasterly of US-31 and Lots 9, 10 11 and 12 of Block 2, E. N. Salling's Addition to the City of Manistee, as recorded in Manistee County Records, Section 12, T.21 N.-R.17 W., City of Manistee, Manistee County, Michigan, AND ALSO That part of Olga Street adjacent to Lot 4, Block 1 AND Lot 12, Block 2, E. N. Salling's Addition to the City of Manistee, as recorded in Manistee County Records, Section 12, T.21 N.-R.17 W., City of Manistee, Manistee County, Michigan, more particularly described as follows: Beginning at the Northwest Corner of said Lot 4, Block 1, E. N. Salling's Addition to the City of Manistee; thence S.03°-01'-18"W, on the West line of said Lot 4, 131.26 feet to the Southwest Corner of said Lot 4; thence N.86°-58'-42"W, 66.00 feet to the Southeast Corner of said Lot 12, Block 2; thence N.03°-01'-18"E, on the East line of said Lot 12, 131.00 feet to the Northeast Corner of said Lot 12; thence S.87°-12'-25"E, 66.00 feet to the point of beginning, containing 0.20 acres of land, more or less.

I hereby certify that I have surveyed the  
parcel of land herein shown and described.



By: Patrick G. Bentley  
Patrick G. Bentley  
Professional Surveyor No. 47944

Date: 6-13-18

DRAWN BY: MLU  
CHECKED BY: PGB

PLOT DATE: 06-06-18  
SHEET 3 OF 3

JOB#: 126036SG2018  
DWG#: JA-4878-03

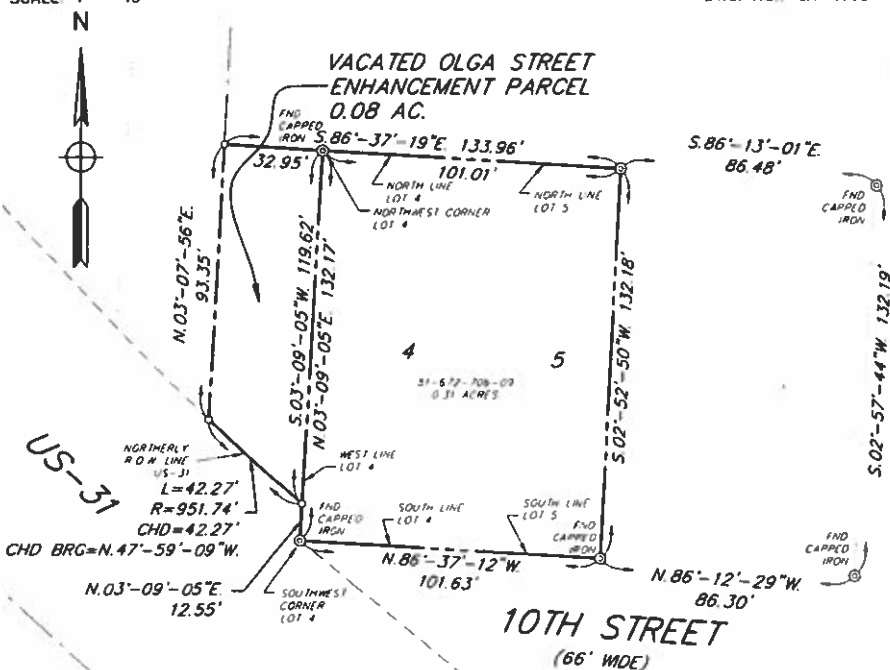
(R) - RECORDED  
(M) - MEASURED  
⊙ - FOUND SURVEY CORNER  
○ - SET 1/2" Ø REBAR W/ CAP No 47944



Spicer Group  
302 River Street  
Manistee, MI 49660  
TEL (231) 794-5620

SCALE: 1" = 40'

DWG. NO.: JA-4716



SURVEY FOR: Gary Niesen  
296 Tenth Street  
Manistee, MI 49660

DATE: May 31, 2017

SURVEY OF:

NOTE: BEARINGS ARE BASED ON MICHIGAN  
STATE PLANE COORDINATES, CENTRAL ZONE  
AND WERE OBTAINED BY GPS OBSERVATIONS.

SECTION 12, T.21 N.-R.17 W.,  
CITY OF MANISTEE  
MANISTEE COUNTY, MICHIGAN

**VACATED OLGA STREET ENHANCEMENT PARCEL LEGAL DESCRIPTION:**

The East half of Olga Street lying North of US-31 and West of and adjacent to Lot 4, Block 4, E. N. Salling's Addition to the City of Manistee, as recorded in Manistee County Records, Section 12, T.21 N.-R.17 W., City of Manistee, Manistee County, Michigan, more particularly described as follows: Beginning at the Northwest Corner of Lot 4, Block 4, E. N. Salling's Addition to the City of Manistee; thence S.03°-09'-05"E, 119.62 feet to a point on the Northerly right of way line of US-31 (so-called), said point being on a 951.74 foot radius curve to the right, thence Northeasterly on the arc of said curve, 42.27 feet, said arc being subtended by a chord bearing and distance of N.47°-59'-09"W, 42.27 feet; thence N.03°-07'-56"E, 93.35 feet; thence S.86°-37'-19"E, 32.95 feet to the point of beginning, containing 0.08 acres of land, more or less.

**COMBINED PARCEL 51-672-706-09 AND VACATED OLGA STREET ENHANCEMENT PARCEL LEGAL DESCRIPTION:**

Lot 4, Part of Lot 5 and part of Vacated Olga Street, Block 4, E. N. Salling's Addition to the City of Manistee, as recorded in Manistee County Records, Section 12, T.21 N.-R.17 W., City of Manistee, Manistee County, Michigan, more particularly described as follows: Beginning at the Northwest Corner of said Lot 4, thence S.86°-37'-19"E, on the North line of said Lots 4 and 5, 101.01 feet; thence S.02°-52'-50"W, 132.18 feet to a point on the South line of Lot 5; thence N.86°-37'-12"W, on the South line of said Lots 4 and 5, 101.63 feet to the Southwest Corner of said Lot 4, thence N.03°-09'-05"E, 12.55 feet to a point on the Northerly right of way line of US-31 (so-called), said point being on a 951.74 foot radius curve to the right; thence Northeasterly on the arc of said curve, 42.27 feet, said arc being subtended by a chord bearing and distance of N.47°-59'-09"W, 42.27 feet; thence N.03°-07'-56"E, 93.35 feet; thence S.86°-37'-19"E, 32.95 feet to the point of beginning, containing 0.39 acres of land, more or less.

I hereby certify that I have surveyed the  
parcel of land herein shown and described

By: Patrick G. Bentley  
Patrick G. Bentley  
Professional Surveyor No. 47944

Date: 6-6-17

DRAWN BY: MLV  
CHECKED BY: PCB

PLOT DATE: 05-31-17  
SHEET 1 OF 1

JOB#: 124735SG2017  
DWG#: JA-4716



